

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pastan et al.

Application No. 09/763,393

Filed: July 30, 2001

For: PAGE-4, AN X-LINKED GAGE-LIKE
GENE EXPRESSED IN NORMAL AND
NEOPLASTIC PROSTATE, TESTIS AND
UTERUS, AND USES THEREFOR

Examiner: Not yet assigned

Date: November 26, 2001

Art Unit: 1646

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and any documents referred to as being attached or enclosed herewith are being transmitted to the United States Patent and Trademark Office, to the attention of Receptionist, Art Unit 1646, U.S. Patent and Trademark Office, at the facsimile telephone number (703) 305-7230, on 8 January 2002

William D. NoonanWilliam D. Noonan, M.D.
Attorney for Applicant

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KO
1-16-01

**POWER OF ATTORNEY BY ASSIGNEE AND
CERTIFICATE BY ASSIGNEE UNDER 37 CFR § 3.73**

COMMISSIONER FOR PATENTS
WASHINGTON D.C. 20231

Dear Sir:

THE GOVERNMENT OF THE UNITED STATES OF AMERICA, AS
REPRESENTED BY THE SECRETARY, DEPARTMENT OF HEALTH AND HUMAN
SERVICES, the Assignee of the entire right, title and interest in the above-identified patent
application, by Assignment attached hereto, and recorded at Reel 012045, Frame 0079, recorded
on August 2, 2001, hereby appoints as its representatives to conduct all business in the Patent
and Trademark Office connected therewith the attorneys and agents identified below:

Name	Reg. No.	Name	Reg. No.
James C. Haight	25,588	Jack Spiegel	34,477
Robert Benson	33,612	David R. Sadowski	32,808
Susan S. Rucker	35,762	Steve Ferguson	38,448
John Peter Kim	38,514	Richard L. Rodriguez	45,980
Stephen L. Finley	36,357	Marlene Shina	46,005
Norbert Ponzer	40,777		

all of the National Institutes of Health, Office of Technology Transfer, 6011 Executive,
Boulevard, Suite #325, Rockville, MD 20852; and grants an Associate Power of Attorney to:

Name	Reg. No.	Name	Reg. No.
Richard J. Polley	28,107	Lisa M. Caldwell	41,653
William D. Noonan	30,878	Michael D. Jones	41,879
Donald L. Stephens Jr.	34,022	Tanya M. Harding	42,630
Stacey C. Slater	36,011	Gregory L. Maurer	43,781
Susan Alpert Siegel	43,121	Robert F. Sconi	39,830
Wayne W. Rupert	34,420	Sheree L. Rybak	47,913

all of the law firm of Klarquist Sparkman, LLP, 121 SW Salmon Street, Suite 1600, Portland, Oregon 97204.

The Assignee certifies that the above-identified Assignment has been reviewed and to the best of Assignee's knowledge and belief, title is in the Assignee, as demonstrated by the copy of the Assignment submitted herewith.

Please address all correspondence to William D. Noonan, M.D. at:

KLARQUIST SPARKMAN, LLP
One World Trade Center, Suite 1600
121 SW Salmon Street
Portland, OR 97204-2988
Telephone: 503-226-7391
Fax: 503-228-9446

The National Institutes of Health Office of Technology Transfer has been duly delegated responsibility for patent matters under the authority of the memorandum dated May 21, 1991, from Louis W. Sullivan, the Secretary of the Department of Health and Human Services, delegating the authority to the Heads of the Public Health Service Operating Divisions, as well as a memorandum dated October 9, 2001, from Mark L. Rohrbaugh, Ph.D., J.D., Acting Director, Office of Technology Transfer, National Institutes of Health, delegating authority to sign this Power of Attorney to the undersigned individual. The undersigned is therefore authorized to exercise such authority in this matter.

Executed on 12/10/2001, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES



Jack Spiegel, Ph.D.
Division Director for Technology
Development and Transfer
Reg. No. 34,477
National Institutes of Health
Office of Technology Transfer
6011 Executive Boulevard, Suite #325
Rockville, MD 20852
(301) 496-7736

JOINT

ASSIGNMENT

WHEREAS, We, Ira Pastan of 11710 Beall Mountain Road, Potomac, Maryland, 20854, a citizen of the United States; Ulrich Brinkmann of Feichtlstr. 12, D-82362 Weilheim, Germany, a citizen of Germany; George Vasmatzis of 2819 Fourth Avenue NW, Rochester, Minnesota, 55905, a citizen of Greece; Byungkook Lee of 10711 Sandy Landing Road, Potomac, Maryland, 20854, a citizen of the United States; all inventors being employees of the Department of Health and Human Services at the time the invention was made, have invented: PAGE-4, AN X-LINKED GAGE-LIKE GENE EXPRESSED IN NORMAL AND NEOPLASTIC PROSTATE, TESTIS, AND UTERUS, AND USES THEREFOR, for which an application to the Assistant Commissioner for Patents for grant of Letters Patents of the United States of America has been executed by the undersigned

on (date(s) Declaration signed):

is identified as U.S. Patent Application:
Serial No. 09/763,393

Filed ; and

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States of America is desirous of acquiring all domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid application for Letters Patent of the United States of America; and

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the premises and other valuable considerations, we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his successors, the full and exclusive right, title, and interest throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file the invention described in the aforesaid application for Letters Patent of the United States of America, and all Letters Patents and Registrations which may be granted on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by the

Paris Convention, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

AND, we hereby authorize and request the Assistant Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest in and to the same throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file, for the sole use for the full term or terms for which said Letters Patent and Registrations may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof which may be granted as fully and entirely as the same would have been held by us, had this assignment not been made;

AND, we hereby warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied with respect to the aforesaid application for Letters Patent which will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of this instrument by us;

AND, we hereby agree to execute any and all applications for Letters Patent in the United States of America and foreign countries, and to furnish and deliver to the Secretary, Department of Health and Human Services, upon request, all data and documents, and to execute any papers which may be necessary for the prosecution of any application or applications of Letters Patent or for THE GOVERNMENT to exercise its rights granted hereunder, including communicating to THE GOVERNMENT, its representatives or agents, any facts relating to said invention, including evidence for interference purposes, or for other proceedings, whenever requested, to testify in any interference or other proceedings, whenever requested, and to execute and deliver on request all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon our heirs, legal representatives, administrators and assigns, and we shall assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

The undersigned hereby grants THE GOVERNMENT or the law firm of Townsend and Townsend and Crew LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.


Ira Pastan

7/17/01
(date)

STATE OF Maryland)

COUNTY OF Montgomery)

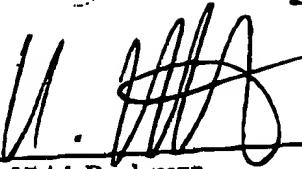
UNITED STATES OF AMERICA

On July 17, 2001 before me, Ann Schombert (here insert name and title of the officer), personally appeared Ira Pastan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Ann Schombert
My commission expires 10/01/2001

(Seal)


Ulrich BrinkmannJuly 13
(date)STATE OF Maryland)
COUNTY OF Montgomery)

On July 13, 2001 before me, Ann Schombert, Notary Public (here insert name and title of the officer), personally appeared Ulrich Brinkmann personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Ann SchombertMy commission expires Oct. 1, 2001

(Seal)



George Vasmatzis

7/13/2001
(date)STATE OF Minnesota
COUNTY OF Olmsted

On 7/13/2001 before me, Rita Moen (here insert name and title of the officer), personally appeared George Vasmatzis, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.



(Seal)

Signature Rita Moen7/13/2001

Byungkook Lee
Byungkook Lee

7/12/2001
(date)

STATE OF Maryland)
COUNTY OF Montgomery)

On July 12, 2001 before me, Ann Schombert, Notary (here insert name and title of the officer), personally appeared Byungkook Lee, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Ann Schombert

My commission expires 10/01/2001

(Seal)

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SAS:jam 4239-61541 91389 01/08/02

1642

Mary Tam Davis

KLARQUIST SPARKMAN, LLP
 16th Floor World Trade Center, 121 S.W. Salmon Street, Portland, Oregon 97204 U.S.A.
 PHONE: 503-226-7391 FAX: 503-228-9446

PLEASE DELIVER DIRECTLY TO EXAMINER**Fax No.:** (703) 305-7230**Total No. Pages:** 9 including this cover sheet

Message: Transmitted herewith for filing in the above-identified application is a Power of Attorney by Assignee and Certificate by Assignee Under 37 C.F.R. 3.73. If you do not receive all pages or if you have problems receiving transmittal, please call William D. Noonan, M.D., at (503) 226-7391. The fee (large entity) has been calculated as shown below.

In re application of: Pastan et al.

Application No.: 09/763,393

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 EXPRESSED IN NORMAL AND NEOPLASTIC
 PROSTATE, TESTIS AND UTERUS, AND USES
 THEREFOR

Examiner: Not yet assigned

Art Unit: 1646

Date: January 8, 2002

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and any documents referred to as being transmitted herewith are being facsimile transmitted to attention of Receptionist, Art Unit 1646, U.S. Patent and Trademark Office, at the facsimile telephone number (703) 305-7230 on January 8, 2002.

William D. Noonan

William D. Noonan, M.D.
 Attorney for Applicant

FEE CALCULATION FOR CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Extra	Rate	Fee
Total Claims	-	* =		\$18.00	\$ 0.00
Indep.	-	** =		\$84.00	\$ 0.00
<<One/Two/Three>>-month Extension of Time (1 month = \$110.00 2 months = \$400.00 3 months = 920.00)					
TOTAL FEE FOR THIS AMENDMENT \$0.00					

*greater of twenty or number for which fee has been paid. **greater of three of number for which fee has been paid.

No additional fee is required.

Please charge this fee and any additional fees that may be required in connection with filing of this Power of Attorney by Assignee and Certificate by Assignee Under 37 C.F.R. 3.73 to Deposit Account 02-4550.

William D. Noonan

William D. Noonan, M.D.

Registration No. 30,878

January 8, 2002

Date

cc: Docketing

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS CONFIDENTIAL AND ONLY FOR THE INTENDED RECIPIENT IDENTIFIED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR USE OF THIS COMMUNICATION IS UNLAWFUL. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (COLLECT), RETURN THE ORIGINAL MESSAGE TO US, AND RETAIN NO COPY.